THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 25767 of 2005

Dated 24-01-2006

Between:

Miss.K.Deepthi, D/o.K.Venkateswara Rao
University College for Women, Koti, Hyderabad with RollNo.9,
R/o.H.No.168/EWSH, New santhoshnagar Colony, Hyderabad.

..... PETITIONER

AND

1 University College for Women, (Autonomous), Koti, Hydderabad.
(Affiliated to Osmania University, Hyderabad) rep. by its Principal and another

.....RESPONDENT(S)

THE HON'BLE MR. JUSTICE L. NARASIMHA REDDY

W.P.No.25767 of 2005

JUDGMENT:

Petitioner is a student of M.Sc., (Nutrition & Dietetics), in the University College for Women, the 1st respondent herein. She challenges the action of the respondents, in not issuing the
Hall-Ticket, for the examination of III semester. Petitioner pleads that she has put in requisite percentage of attendance, and despite the same, respondents are not permitting her, to appear in the examination, on the basis of certain corrections in the particulars, as to attendance. In the counter affidavit filed on behalf of the respondents, it is stated that the petitioner has 54% of attendance, as against the minimum of 75%, and in that view of the matter, she was not issued the Hall-Ticket.

Learned counsel for the petitioner submits that the respondents displayed the particulars of attendance of candidates, of III semester, well in advance, and in that, it was indicated that the petitioner has 59% of attendance. He contends that within a short-time, it was corrected to 54%, without any verification from the petitioner. Learned counsel for the petitioners submits that the respondents cannot unilaterally alter the particulars of attendance, and denied the attendance of appearance in the examination, to the petitioner.

Learned Standing Counsel for the respondents, on the other hand, submits that the attendance of the petitioner was shown as 59%, initially, and on verification, it was found that her actual attendance is 54%. He contends that even after the subsequent correction is ignored, the petitioner is not eligible to appear in the examination.

The course being studied by the petitioner is spread over to, two years, and divided into four semesters. She successfully completed two semesters. The examinations for III semester were scheduled to be held in December, 2005. While the petitioner states that she has the requisite percentage of attendance,
to appear in the examination, the respondents dispute it. The petitioner filed an application for production of the original attendance registers, relating to III semester.

The respondents were directed to produce the same. A perusal of the same discloses that the attendance was marked and maintained in a tamper proof manner.

Even according to the petitioner, the particulars displayed by the respondents, at the end of October, 2005, reveals that the percentage of her attendance is 59%. She did not raise any objection for this. Her grievance was only about the subsequent correction of the same, to 54%. A perusal of the attendance registers discloses that there was some dispute, as to whether,
three classes, for which attendance was marked to her, must be allowed to remain, or be ignored. If it is allowed, the percentage would be 59%, and if it is disallowed, it would be 54%.

The University prescribed the minimum percentage of attendance, at 75%, to enable a candidate to appear in the examination. The Vice-Chancellor is conferred with the power,
to condone the shortage of attendance up to 10%, for valid reasons. Under no circumstances can a candidate be allowed to appear in the examination, if the attendance is less than 65%.
Even assuming that the subsequent correction of the particulars of attendance was wrong, petitioner has only 59% of attendance. Therefore, the question of permitting her, to appear in the
III semester examination, does not arise.

This Court does not find any basis to grant the relief to the petitioner. The writ petition is accordingly dismissed. There shall be no order as to costs.

L. NARASIMHA REDDY, J.

Dt.24-01-2006.

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